

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEHMET EMIN TATAS,

Plaintiff,

– against –

ALI BABA'S TERRACE, INC., ALI RIZA
DOGAN, SENOL BAKIR, and TOLGAHAN
SUBAKAN,

Defendants.

ORDER

19 Civ. 10595 (ER)

Ramos, D.J.:

The Court is in receipt of Defendants' notice of Ali Baba's bankruptcy and motion to extend the automatic stay to the individual defendants. The motion is GRANTED.

First, the Court acknowledges that Ali Baba's filed for bankruptcy in the United States Bankruptcy Court for the Southern District of New York, under Case No. 21-bk-11550 (JLG). Therefore, this matter is automatically stayed as to Ali Baba's pursuant to 11 U.S.C. § 362(a).

Second, the Court finds that it is appropriate to extend the stay to the individual defendants. Counsel for Defendants has submitted evidence showing that all Defendants have received coverage under Ali Baba's insurance policy. *See* Doc. 105-2. Numerous courts in this Circuit have found that enjoining actions as to individual, non-debtor defendants is appropriate when doing so would prevent the depletion of the debtor's assets, including a shared insurance policy. *See, e.g., In re Quigley Co., Inc.*, 676 F.3d 45, 57–58 (2d Cir. 2012). Accordingly, the Court will stay this action in its entirety.¹

¹ Defendants' request for a temporary stay pending resolution of this motion is therefore denied as moot.

Defendants are instructed to notify the Court within 48 hours of the resolution of Ali Baba's bankruptcy proceedings. The Clerk of Court is respectfully directed to stay this case.

It is SO ORDERED.

Dated: September 16, 2021
New York, New York



EDGARDO RAMOS, U.S.D.J.